

ROBERTA EAMES

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<p>1 proposed class representatives that these alleged 2 representations were made to? 3 A. Yes. 4 Q. What is the basis for your claim? 5 A. We were misled with the PIP. We were under 6 the assumption we had full coverage that would cover 7 all medical and lost wages if we were ever in an auto 8 accident. 9 MR. MARINO: Read that back. 10 (Whereupon, the court reporter read 11 back from the record.) 12 BY MR. MARINO: 13 Q. You understand you had insurance that would 14 cover any medical expenses or any lost wages if you 15 were ever injured in an automobile accident? 16 A. Correct. 17 Q. Where did you get that understanding? 18 A. When I called about the insurance I called 19 for full coverage on everything. 20 Q. When you called about the insurance prior to 21 the policy being issued and you said -- if I 22 mischaracterize your testimony, tell me -- you 23 testified you talked to either Keith Culver or Linda 24 Sanders? 25 A. Yes.</p>	<p>1 A. Yes. 2 Q. With another insurance company? 3 A. Yes. 4 Q. Did that insurance company go out of 5 business? 6 A. Honestly, I don't remember. 7 Q. Do you remember what types of coverage you 8 had with your prior insurance? 9 A. Full coverage on everything. 10 Q. During these calls, is it your testimony that 11 you were requesting the same coverage that you had with 12 your prior insurance? 13 A. I guess. I don't remember. 14 Q. You don't remember what you said; right? 15 A. Right. 16 Q. Referring you to subparagraph B of 13. In 17 this paragraph it states "On information and belief the 18 document attached as exhibit A (or one or more 19 documents substantially identical to it) was shown to 20 Mr. or Mrs. Eames or both by representative of the 21 Culver Agency at the time the policy was purchased in 22 March 1994". 23 A. Yes. 24 Q. Is that your allegation in this case? 25 A. Yes.</p>
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<p>1 Q. You don't remember how many times? 2 A. Correct. 3 Q. You don't remember who you talked to on 4 specific occasions? 5 A. Correct. 6 Q. You don't remember what was said during those 7 conversations; is that correct? 8 A. Not a full conversation, correct. 9 Q. What do you mean by not a full conversation? 10 A. My purpose for calling was for quotes. 11 Q. You recall you asked for quotes? 12 A. Yes. 13 Q. You don't know how many conversations you had 14 or when they were? 15 A. No, correct. 16 Q. You don't remember what they -- specifically 17 what either one or these people may have said to you? 18 A. No. 19 MR. EDWARDS: About the quotes 20 specifically? 21 BY MR. MARINO: 22 Q. Your answer was no? 23 A. Correct. 24 Q. You had insurance prior to getting this 25 policy we're talking about now, right?</p>	<p>1 Q. Why do you say on information and belief? 2 MR. EDWARDS: Objection as to 3 relevance on class certification. 4 THE WITNESS: Where is the document 5 that is attached? 6 BY MR. MARINO: 7 Q. Let's look at exhibit A to this document. 8 Have you seen this document before? 9 A. This one or one like it, yes. 10 Q. Do you know whether you have seen this 11 document before? 12 A. Yes. 13 Q. You do know that you have seen this document? 14 A. This one or one identical to it, yes. 15 Q. I want to understand what you mean. 16 A. Yes, I have seen this. 17 Q. When did you see this document, the first 18 time? 19 A. When we got our insurance. 20 Q. When was that? 21 A. 1994. 22 Q. Is it your testimony you saw this document 23 after you received the policy in the mail? 24 A. Yes. 25 Q. You didn't see this document before you</p>

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<p>1 received the policy in the mail; correct?</p> <p>2 A. Correct.</p> <p>3 Q. You didn't see this document at the time the</p> <p>4 policy was purchased, did you?</p> <p>5 A. Correct.</p> <p>6 Q. When did you see this document after the</p> <p>7 policy was purchased?</p> <p>8 A. When it came in the mail.</p> <p>9 Q. Someone sent you this in the mail?</p> <p>10 A. I believe, it is the front page.</p> <p>11 Q. Of what?</p> <p>12 A. Our policy.</p> <p>13 Q. You believe exhibit A to the amended</p> <p>14 complaint marked as two to your deposition is the first</p> <p>15 page of your policy that you received in the mail?</p> <p>16 A. Cover page, yes.</p> <p>17 Q. You believe that exhibit A is a cover page of</p> <p>18 your policy that you received in the mail?</p> <p>19 A. Yes.</p> <p>20 Q. Look at subparagraph C. "On information and</p> <p>21 belief one or more representatives of Culver Agency</p> <p>22 represented orally to Mr. or Mrs. Eames or both that</p> <p>23 subject policy would provide full limits of liability</p> <p>24 for PIP coverage".</p> <p>25 Do you see where I'm reading from?</p>	<p>1 do you?</p> <p>2 A. No.</p> <p>3 Q. You know that you wanted full; correct?</p> <p>4 A. Yes.</p> <p>5 Q. What is PIP coverage?</p> <p>6 A. Personal injury protection.</p> <p>7 Q. Subparagraph D, please read that.</p> <p>8 A. Yes.</p> <p>9 Q. Is that your allegation?</p> <p>10 A. Yes.</p> <p>11 Q. You told me you didn't talk to anybody other</p> <p>12 than Keith Culver or Linda Sanders?</p> <p>13 A. Correct.</p> <p>14 Q. There were not any other representatives of</p> <p>15 the Culver Agency that you may have communicated with</p> <p>16 correct?</p> <p>17 A. Correct.</p> <p>18 Q. You are referring to oral conversations?</p> <p>19 A. Yes.</p> <p>20 Q. Which you don't remember the substance?</p> <p>21 A. Correct.</p> <p>22 Q. Go to exhibit B. I'm referring to exhibit B</p> <p>23 to the complaint marked as exhibit two to the</p> <p>24 deposition of Mrs. Eames.</p> <p>25 Have you ever seen this page before?</p>
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<p>1 A. Yes.</p> <p>2 Q. Which representative or representatives of</p> <p>3 the Culver Agency are you referring to?</p> <p>4 A. I don't remember if it was Linda or Keith.</p> <p>5 Q. It wasn't anybody else?</p> <p>6 A. No.</p> <p>7 Q. You are making reference to an oral</p> <p>8 conversation?</p> <p>9 A. Yes.</p> <p>10 Q. When did that conversation occur?</p> <p>11 A. Before we had our policy.</p> <p>12 Q. One of them told you that the policy would</p> <p>13 provide -- is it your testimony one of them told you</p> <p>14 that the policy would provide full limits of liability</p> <p>15 for PIP coverage?</p> <p>16 A. Full coverage on everything.</p> <p>17 Q. That wasn't my question.</p> <p>18 Was it your testimony that either Mr.</p> <p>19 Culver or Ms. Sanders told you that you would have full</p> <p>20 coverage on everything?</p> <p>21 A. Yes.</p> <p>22 Q. What is everything?</p> <p>23 A. Everything in our policy. All coverages. We</p> <p>24 wanted full coverage on everything.</p> <p>25 Q. You don't recall specifically what was said.</p>	<p>1 A. Yes.</p> <p>2 Q. When did you see it?</p> <p>3 A. The day after the accident.</p> <p>4 Q. It is the first time you ever saw this page?</p> <p>5 A. This one in particular, yes.</p> <p>6 Q. You didn't see this page at any time prior to</p> <p>7 the policy being issued, did you?</p> <p>8 A. No.</p> <p>9 Q. You didn't see it until years after the</p> <p>10 policy was issued?</p> <p>11 A. Correct.</p> <p>12 Q. Until after you were involved in the</p> <p>13 accident?</p> <p>14 A. Correct.</p> <p>15 Q. Please look at exhibit C. I'm referring to</p> <p>16 exhibit C to the amended complaint marked as exhibit</p> <p>17 two to the deposition of Mrs. Eames.</p> <p>18 Have you seen this document before?</p> <p>19 A. Yes.</p> <p>20 Q. When did you first see this document?</p> <p>21 A. When I purchased my insurance.</p> <p>22 Q. You saw this document when you purchased your</p> <p>23 insurance?</p> <p>24 A. For my Ford Explorer.</p> <p>25 Q. Is it your testimony you saw this document</p>

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<p>1 prior to June 17 of 2003?</p> <p>2 A. Before?</p> <p>3 Q. Uh-huh.</p> <p>4 A. No.</p> <p>5 Q. You didn't see this documents prior to June?</p> <p>6 MR. EDWARDS: Objection. Asked and</p> <p>7 answered. She already answered that</p> <p>8 question.</p> <p>9 MR. MARINO: Then I didn't</p> <p>10 understand it.</p> <p>11 THE WITNESS: This we purchased in</p> <p>12 June 2003 when I replaced the vehicle that</p> <p>13 was in the accident. This is my Ford</p> <p>14 Explorer.</p> <p>15 Yes, I saw it the day they printed</p> <p>16 it out in June of 2003.</p> <p>17 BY MR. MARINO:</p> <p>18 Q. They printed it out. Who is they?</p> <p>19 A. Janet was her name, at Culver.</p> <p>20 Q. You went to Culver. You were at the office</p> <p>21 at that time?</p> <p>22 A. Yes.</p> <p>23 Q. You got this document?</p> <p>24 A. Yes.</p> <p>25 Q. When you got the insurance on the Ford</p>	<p>1 today have you had any other discussions with anyone</p> <p>2 about this case?</p> <p>3 A. No.</p> <p>4 MR. MARINO: Nothing further.</p> <p>5 EXAMINATION</p> <p>6 BY MR. EDWARDS:</p> <p>7 Q. Turn to R. Eames-2. Look at exhibit A.</p> <p>8 A. (Witness complies).</p> <p>9 Q. You were shown a copy of this document in</p> <p>10 connection with the purchase of the policy at issue in</p> <p>11 this case?</p> <p>12 A. Yes.</p> <p>13 MR. MARINO: Objection to the form.</p> <p>14 BY MR. EDWARDS:</p> <p>15 Q. You are not sure exactly when or how you saw</p> <p>16 that document?</p> <p>17 A. Correct.</p> <p>18 Q. You think it might have come in the mail but</p> <p>19 you don't know when?</p> <p>20 MR. MARINO: Objection. That</p> <p>21 mischaracterizes her prior testimony.</p> <p>22 THE WITNESS: I don't know the date</p> <p>23 we received it.</p> <p>24 BY MR. EDWARDS:</p> <p>25 Q. When you saw this document full was used with</p>
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<p>1 Explorer was your husband with you?</p> <p>2 A. No.</p> <p>3 Q. Tammy wasn't with you, was she?</p> <p>4 A. No.</p> <p>5 Q. Paragraph 24. Read that.</p> <p>6 A. (Witness complies).</p> <p>7 Q. Have you been deprived of any necessary</p> <p>8 medical care?</p> <p>9 A. Yes.</p> <p>10 Q. What necessary medical care have you been</p> <p>11 deprived of?</p> <p>12 A. I should have been able to continue with more</p> <p>13 therapy and more doctor visits. I can't afford it.</p> <p>14 Q. Did a doctor recommend that to you?</p> <p>15 A. Yes.</p> <p>16 Q. When did that occur that you decided that you</p> <p>17 couldn't continue with him?</p> <p>18 A. When we got the letter that PIP was</p> <p>19 exhausted.</p> <p>20 MR. MARINO: Let's take a short</p> <p>21 break.</p> <p>22 (Whereupon, a short recess was</p> <p>23 taken.)</p> <p>24 BY MR. MARINO:</p> <p>25 Q. Other than what you already testified to</p>	<p>1 personal injury protection?</p> <p>2 A. Yes.</p> <p>3 Q. Were you also shown other documents besides</p> <p>4 this document similar to this type in connection with</p> <p>5 the purchase of the policy at issue in this litigation?</p> <p>6 MR. MARINO: Objection as to form.</p> <p>7 THE WITNESS: What was your</p> <p>8 question?</p> <p>9 BY MR. EDWARDS:</p> <p>10 Q. Were you ever shown other documents other</p> <p>11 than this of a similar type in connection with the</p> <p>12 purchase of a policy at issue in this litigation?</p> <p>13 A. I don't remember.</p> <p>14 Q. You also said that you had telephone</p> <p>15 conversations, oral conversations with people with</p> <p>16 regard to the purchase of the policy at issue in this</p> <p>17 litigation?</p> <p>18 A. Correct.</p> <p>19 Q. During those oral conversations with regard</p> <p>20 to the policy at issue in this litigation were any oral</p> <p>21 representations made to you with regard to personal</p> <p>22 injury protection and the word full?</p> <p>23 A. Yes.</p> <p>24 MR. MARINO: Objection to form.</p> <p>25 BY MR. EDWARDS:</p>

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<p>1 Q. When were those made?</p> <p>2 A. When I called for quotes.</p> <p>3 Q. When you called for quotes your personal</p> <p>4 injury protection that you were calling to purchase,</p> <p>5 the word full was used in conjunction with that</p> <p>6 purchase?</p> <p>7 A. Yes.</p> <p>8 MR. EDWARDS: No further questions.</p> <p>9 RE-EXAMINATION</p> <p>10 BY MR. MARINO:</p> <p>11 Q. Do you recall I asked you about what is</p> <p>12 exhibit A to the amended complaint, which is exhibit</p> <p>13 two to your deposition, Mr. Edwards asked you questions</p> <p>14 about that?</p> <p>15 If I understand your testimony, you say</p> <p>16 you received exhibit A in the mail?</p> <p>17 A. Yes.</p> <p>18 Q. You don't recall when you received it in the</p> <p>19 mail?</p> <p>20 A. Correct.</p> <p>21 Q. It is your testimony you received it with the</p> <p>22 policy?</p> <p>23 A. Yes.</p> <p>24 Q. You just don't recall when you received the</p> <p>25 policy; correct?</p>	<p>1 insurance when calling for quotes. They told me I</p> <p>2 would be receiving full coverage on everything.</p> <p>3 We had two vehicles that were financed.</p> <p>4 We needed full coverage on everything. If we were to</p> <p>5 have an accident would it cover all of our medical</p> <p>6 and/or lost wages.</p> <p>7 MR. MARINO: That's the question you</p> <p>8 asked specifically?</p> <p>9 THE WITNESS: Yes.</p> <p>10 BY MR. EDWARDS:</p> <p>11 Q. During that conversation there was oral</p> <p>12 representations made to you, you would be receiving</p> <p>13 full PIP coverage?</p> <p>14 A. Yes.</p> <p>15 MR. EDWARDS: That's all I have.</p> <p>16 RE-EXAMINATION</p> <p>17 BY MR. MARINO:</p> <p>18 Q. When was that?</p> <p>19 A. Before we got our policy.</p> <p>20 Q. When?</p> <p>21 A. In 1994.</p> <p>22 Q. Do you know when?</p> <p>23 A. My insurance cards run March 22 to September</p> <p>24 22. September 22 to March 22. Before March 22 of 1994</p> <p>25 I phoned in for a policy.</p>
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<p>1 A. Correct.</p> <p>2 Q. During some of these conversations you don't</p> <p>3 recall the substance of, the word full was used?</p> <p>4 MR. EDWARDS: Objection to form.</p> <p>5 BY MR. MARINO:</p> <p>6 Q. During some of the conversations -- strike</p> <p>7 that.</p> <p>8 I believe your testimony was during some</p> <p>9 of these conversations that you had prior to the time</p> <p>10 you received the policy in the mail with either Mr.</p> <p>11 Culver or Mrs. Sanders the word full was used?</p> <p>12 A. Yes.</p> <p>13 Q. Specifically?</p> <p>14 A. Yes.</p> <p>15 Q. What specifically was said?</p> <p>16 A. I wanted full coverage on everything on our</p> <p>17 insurance.</p> <p>18 Q. You said that?</p> <p>19 A. Yes.</p> <p>20 MR. MARINO: Nothing further.</p> <p>21 RE-EXAMINATION</p> <p>22 BY MR. EDWARDS:</p> <p>23 Q. I asked you were any oral representations</p> <p>24 made to you?</p> <p>25 A. Yes, I asked for full coverage on our</p>	<p>1 Q. You don't recall who you talked to; correct?</p> <p>2 A. One time I talked to Linda and another time I</p> <p>3 spoke with Keith. I don't know who I spoke to first or</p> <p>4 last. I dealt with those two people at that office.</p> <p>5 Why would I not want full coverage on</p> <p>6 personal injury protection when I wanted full coverage</p> <p>7 on everything else?</p> <p>8 Q. You wanted full coverage on everything?</p> <p>9 A. Yes.</p> <p>10 Q. That's what you told them?</p> <p>11 A. Yes.</p> <p>12 MR. MARINO: Let's take a short</p> <p>13 break.</p> <p>14 (A discussion was held off the</p> <p>15 record.)</p> <p>16 MR. MARINO: We don't have anything</p> <p>17 further. We reserve the right to depose</p> <p>18 this witness as well as Tammy and Mr. Eames</p> <p>19 further in connection with merit issues</p> <p>20 should the case get to that point.</p> <p>21 MR. EDWARDS: Nothing further.</p> <p>22 (Whereupon, the deposition was</p> <p>23 concluded at 1:32 p.m.)</p> <p>24</p> <p>25</p>

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CERTIFICATE

I, AUDREE E. BURG, a Court Reporter
in and for the Commonwealth of Pennsylvania,
hereby certify that the foregoing is a true
and accurate transcript of the deposition of
said witness who was first duly sworn by me
on the date and place hereinbefore set
forth.

I FURTHER CERTIFY that I am neither
attorney nor counsel for, nor related to or
employed by, any of the parties to the
action in which this deposition was taken,
and further that I am not a relative or
employee of any attorney or counsel employed
in this action, nor am I financially
interested in this case.

AUDREE E. BURG
Court Reporter

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<p>IN THE UNITED STATES DISTRICT COURT IN AND FOR THE DISTRICT OF DELAWARE</p> <p style="text-align: center;">* * *</p> <p>THOMAS A. EAMES, ROBERTA L. : CIVIL ACTION EAMES and TAMMY EAMES, on : behalf of themselves and all : Others similarly situated :</p> <p style="text-align: center;">-vs-</p> <p>NATIONWIDE MUTUAL INSURANCE : NO. 04-CV-1324-KAJ COMPANY :</p> <p style="text-align: center;">* * *</p> <p>Oral deposition of TAMMY EAMES, held in the law offices of Swartz Campbell, LLC, 300 Delaware Avenue, Suite 1130, Wilmington, Delaware, on Thursday, April 27, 2006, beginning at approximately 10:00 A.M., before Audree E. Burg, Certified Court Reporter and Notary Public in and for the Commonwealth of Pennsylvania.</p> <p style="text-align: center;">* * *</p> <p style="text-align: center;">KARASCH & ASSOCIATES REGISTERED PROFESSIONAL REPORTERS PENNSYLVANIA and DELAWARE (800) 621-5689</p>	<p style="text-align: center;">INDEX</p> <p>1 2 3 WITNESS: PAGE 4 TAMMY EAMES 5 BY: MR. MARINO 4, 33 6 BY: MR. EDWARDS 34 7 8 * * * 9 10 EXHIBITS 11 NUMBER DESCRIPTION PAGE 12 Tammy Eames-1 Response to Interrogatories 20 13 Tammy Eames-2 Amended Complaint 25 14 15 16 17 18 19 20 21 22 23 24 25</p>
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<p>1 APPEARANCES: 2 MURPHY, SPODARO & LONDON 3 BY: PHILIP EDWARDS, ESQUIRE 4 1011 Centre Road - Suite 210 5 Wilmington, DE 19805 6 7 -- Representing the Plaintiffs 8 9 FOWLER, WHITE, BOGGS, BANKER 10 BY: JOHN P. MARINO, ESQUIRE 11 50 North Laura Street - Suite 2200 12 Jacksonville, FL 32202 13 -- Representing the Defendant 14 15 ALSO PRESENT: 16 Curtis Cheyney, Esquire 17 Yvonne Chambers, Esquire 18 19 20 21 22 23 24 25</p>	<p>1 (It is hereby stipulated and agreed 2 by and between counsel for the respective 3 parties that signing, sealing, 4 certification, and filing are waived; and 5 that all objections, except as to the form 6 of the question, are reserved until the time 7 of trial.) 8 TAMMY EAMES, after having been 9 first duly sworn, was examined and testified 10 as follows: 11 EXAMINATION 12 BY MR. MARINO: 13 Q. We met earlier. I'm John Marino. I 14 represent Nationwide, the defendant in this case. Next 15 to me is Mr. Cheyney. He represents Nationwide also. 16 The woman on the end is Yvonne Chambers. She's with 17 the general counsel's office for Nationwide. 18 You are appearing here for your 19 deposition. I wanted to go over ground rules before we 20 get started to make sure we communicate well. 21 If you don't hear or understand a 22 question, ask me to clarify it or rephrase it. If you 23 answer I'm going to assume you understood it. 24 A. That's fair. 25 Q. One person talks at a time. A lot of people</p>

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<p>1 start talking at the same time. Sometimes in a room 2 full of lawyers it's difficult. If you let me answer 3 I'll let you answer. If we talk over each other the 4 court reporter will get upset with us and it will be 5 harder for her to transcribe it. 6 If you need a break, let me know. Are you 7 under any medication that would affect your ability to 8 testify? 9 A. No. 10 Q. Is there anything else that would affect your 11 ability to give your best testimony today? 12 A. No, sir. 13 Q. What is your full name? 14 A. Tammy Jane Eames. 15 Q. Have you ever been known by any other names? 16 A. No. 17 Q. What is your date of birth? 18 A. 2/5/82. 19 Q. What is your residence address? 20 A. 14908 Concord Road, Seaford, Delaware, 19973 21 Q. Do you live with your parents? 22 A. Yes. 23 Q. Have you always lived with your parents? 24 A. Yes. 25 Q. Are you currently employed?</p>	<p>1 You are the office assistant. One duty as office 2 assistant is to verify whether patients coming in to 3 get physical therapy verify the extent of the insurance 4 coverage? 5 A. Correct. 6 Q. What other duties do you have? 7 A. When they are short on the floor with the 8 physical therapist the technical part of the job, I 9 fill in and assist the patients. 10 Q. You actually provide physical therapy to 11 patients? 12 A. No, because I'm not a therapist. 13 Q. You assist the therapist sometimes? 14 A. With the patients, yes. 15 Q. How big an operation is Tidewater Physical 16 Therapy? 17 A. I believe we have 20 locations. 18 Q. It's a big company? 19 A. Yes, sir. 20 Q. How many physical therapists are there at the 21 location you work at? 22 A. Just one. 23 Q. Just you and the physical therapist? 24 A. There are other people there. 25 Q. How many other employees are there?</p>
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<p>1 A. Yes, sir. 2 Q. What is your business address? 3 A. One Peddler's Village, Suite A-1, Lewes, 4 Delaware. 5 Q. What is the name of the company? 6 A. Tidewater Physical Therapy. 7 Q. How long have you been employed by them? 8 A. Since 2002. 9 Q. What do you do? 10 A. I am the office assistant. 11 Q. What do you do as office assistant? 12 A. Schedule all patients. Deal with the money 13 transfer, co-pays, and things like that, and all 14 insurance verifications. 15 Q. That's the position you have been in since 16 you joined them in 2002? 17 A. Yes, sir. 18 Q. When you say you do insurance verifications, 19 what does that mean? 20 A. We call the insurance company, Blue Cross, 21 whoever, and ask what the outpatient physical therapy 22 benefits are, and they let us know what the patient's 23 responsibility is going to be so they are aware of what 24 is going on. 25 Q. You basically work for a physical therapist.</p>	<p>1 A. Six, including myself and the therapist. 2 Q. No other office assistants? 3 A. No. 4 Q. Did you graduate from high school? 5 A. Yes. 6 Q. Where did you graduate from? 7 A. Sussex Technical High School in Georgetown. 8 Q. When did you graduate? 9 A. 2000. 10 Q. Prior to 2002 when you became an office 11 assistant at Tidewater physical therapy did you have a 12 job prior to that? 13 A. Yes. 14 Q. What did you do? 15 A. Worked for a pediatrician. 16 Q. What pediatrician? 17 A. Santosh Ready. 18 Q. A local doctor? 19 A. Based out of Lewes. 20 Q. Do you know what his address is? 21 A. Not anymore. I know it is on Savannah Road. 22 Q. What did you do for that pediatrician? 23 A. Entered charges and scheduled patients. Put 24 in the system the code that the patient was seen for. 25 Then input that in and each week I would hit a button</p>

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<p>1 and print out bills and stuff them in an envelope.</p> <p>2 Q. What would you do with the envelope?</p> <p>3 A. Put it in the mail.</p> <p>4 Q. Who did you mail it to?</p> <p>5 A. Whichever insurance company it belonged to.</p> <p>6 Q. You basically handled billing to insurance</p> <p>7 companies?</p> <p>8 A. It was just me and one other person. We</p> <p>9 split the work. We did that and computer work with</p> <p>10 patients.</p> <p>11 Q. What kind of computer work would you do?</p> <p>12 A. Enter in information so there was a record of</p> <p>13 them being there and make their charts.</p> <p>14 Q. What does that mean?</p> <p>15 A. The doctor has to have all of the information</p> <p>16 to write the notes on. We would make sure all of the</p> <p>17 paperwork was in there.</p> <p>18 Q. When did you start that job?</p> <p>19 A. I believe 2001.</p> <p>20 Q. What about before that?</p> <p>21 A. I worked at a pet store.</p> <p>22 Q. Was that when you were still in high school?</p> <p>23 A. I don't recall if I was finished high school</p> <p>24 or if I started before I graduated.</p> <p>25 Q. Other than the pet store and pediatrician and</p>	<p>1 pending lawsuit?</p> <p>2 A. Yes.</p> <p>3 Q. What suit was that?</p> <p>4 A. That was for the auto accident that we were</p> <p>5 in with the -- I'm not sure who that was. I believe it</p> <p>6 was the gentlemen that we were involved in the accident</p> <p>7 with, with his attorneys.</p> <p>8 Q. It was a lawsuit involving an accident that</p> <p>9 you were involved in?</p> <p>10 A. Yes, sir.</p> <p>11 Q. What accident was that?</p> <p>12 A. That was the accident I believe it was 2003.</p> <p>13 Q. That's the accident that you and your mom and</p> <p>14 dad were in?</p> <p>15 A. Correct.</p> <p>16 Q. Are you the plaintiff in that, a plaintiff in</p> <p>17 that lawsuit?</p> <p>18 A. Yes.</p> <p>19 Q. You are suing somebody; correct?</p> <p>20 A. Correct.</p> <p>21 Q. Are you suing them for personal injuries?</p> <p>22 A. I'm involved in that lawsuit because I was in</p> <p>23 the car and was injured.</p> <p>24 Q. Are you a plaintiff in the lawsuit?</p> <p>25 A. I don't know what you mean.</p>
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<p>1 physical therapist, any other jobs?</p> <p>2 A. I had part-time jobs through high school.</p> <p>3 Q. Going back to -- you graduated from high</p> <p>4 school in 2000. Have you ever attended college?</p> <p>5 A. No, sir.</p> <p>6 Q. Have you ever attended junior college?</p> <p>7 A. No, sir.</p> <p>8 Q. Did you have courses or training after high</p> <p>9 school?</p> <p>10 A. No, sir.</p> <p>11 Q. You have not done any computer courses in</p> <p>12 connection with your work at the physical therapist or</p> <p>13 pediatrician?</p> <p>14 A. No, sir.</p> <p>15 Q. Have you ever been deposed before?</p> <p>16 A. Yes.</p> <p>17 Q. How many times?</p> <p>18 A. Just once.</p> <p>19 Q. When was that?</p> <p>20 A. I believe March.</p> <p>21 Q. March of?</p> <p>22 A. 2006.</p> <p>23 Q. Recently?</p> <p>24 A. Yes.</p> <p>25 Q. Were you deposed in connection with the</p>	<p>1 Q. Are you suing somebody?</p> <p>2 A. I believe so, yes.</p> <p>3 Q. You do not know whether you are or not?</p> <p>4 A. I'm involved in the lawsuit, in the suing of</p> <p>5 that gentleman to try to get the medical bills covered.</p> <p>6 Q. That gentleman would be the driver of the</p> <p>7 other car?</p> <p>8 A. Yes, sir.</p> <p>9 Q. Do you know his name?</p> <p>10 A. Mr. Satchell.</p> <p>11 Q. Are your mom and dad involved in that suit</p> <p>12 too?</p> <p>13 A. Yes.</p> <p>14 Q. Are they plaintiffs?</p> <p>15 A. They are the same thing -- whatever I am.</p> <p>16 Q. Where is that case pending? It is in court?</p> <p>17 A. I don't know that it is even that far. We</p> <p>18 just got the deposition and we are waiting to find out</p> <p>19 what we do next.</p> <p>20 Q. We just got the deposition?</p> <p>21 A. The attorney hasn't told us what we're doing</p> <p>22 next.</p> <p>23 Q. You have an attorney in that suit?</p> <p>24 A. Yes.</p> <p>25 Q. Who is that?</p>

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<p>1 A. Clayton Bunning.</p> <p>2 Q. You don't know whether there is an actual</p> <p>3 lawsuit pending, you know you were deposed?</p> <p>4 A. There is a lawsuit, I was deposed. I don't</p> <p>5 know where that stands.</p> <p>6 Q. Do you know if the lawsuit is pending in</p> <p>7 state or federal court?</p> <p>8 A. I don't know.</p> <p>9 Q. You don't know what court the lawsuit is</p> <p>10 pending in?</p> <p>11 A. Right.</p> <p>12 Q. Do you know the name of the attorney that</p> <p>13 took your deposition?</p> <p>14 A. I don't recall.</p> <p>15 Q. Was it the attorney that was representing Mr.</p> <p>16 Satchell?</p> <p>17 A. I believe that's who it was. I know it was a</p> <p>18 nice lady.</p> <p>19 Q. How long did your deposition last?</p> <p>20 A. It is going to be a guess.</p> <p>21 Q. An estimate?</p> <p>22 A. A couple hours, we were at his office.</p> <p>23 Q. You and your mom and dad?</p> <p>24 A. Correct.</p> <p>25 Q. Did you all three get deposed that same day?</p>	<p>1 with Mr. Satchell?</p> <p>2 A. I do not.</p> <p>3 Q. Did you prepare for your deposition today?</p> <p>4 A. What do you mean by prepare?</p> <p>5 Q. Did you talk with anybody about your</p> <p>6 deposition? Did you meet with any attorneys?</p> <p>7 A. We met yesterday with our attorney.</p> <p>8 Q. We, who is that?</p> <p>9 A. My parents and I.</p> <p>10 Q. All three of you?</p> <p>11 A. Yes, sir.</p> <p>12 Q. What attorney did you meet with?</p> <p>13 A. It was his associate.</p> <p>14 Q. Mr. Edwards wasn't there?</p> <p>15 A. No, sir.</p> <p>16 Q. Where did you meet?</p> <p>17 A. In Georgetown.</p> <p>18 Q. Where?</p> <p>19 A. Mr. Bunning's office. We just used his</p> <p>20 conference room.</p> <p>21 Q. It was the three of you and this other</p> <p>22 attorney whose name that you can't recall?</p> <p>23 A. Correct.</p> <p>24 Q. Was it Mr. Spadaro?</p> <p>25 A. That's it.</p>
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<p>1 A. Yes.</p> <p>2 Q. Like we're doing today?</p> <p>3 A. Yes.</p> <p>4 Q. Other than the testimony in March concerning</p> <p>5 this case have you ever testified at any other</p> <p>6 deposition?</p> <p>7 A. No, sir.</p> <p>8 Q. Have you ever testified at any trial?</p> <p>9 A. No, sir.</p> <p>10 Q. Have you ever given testimony under oath at</p> <p>11 any other proceeding?</p> <p>12 A. No, sir.</p> <p>13 Q. Basically it is the time in March and today?</p> <p>14 A. That's it.</p> <p>15 Q. Other than the suit that you got deposed in</p> <p>16 March, you were not sure whether you were a party or</p> <p>17 not. Are you a party to any other litigation?</p> <p>18 A. No.</p> <p>19 Q. Have you ever been a party to any other</p> <p>20 litigation?</p> <p>21 A. No. The only thing I have been involved in</p> <p>22 is this one and the information with Mr. Satchell.</p> <p>23 Q. Has anybody ever sued you?</p> <p>24 A. No.</p> <p>25 Q. You don't know the status of this other case</p>	<p>1 Q. How long did you meet with him?</p> <p>2 A. A few hours, maybe.</p> <p>3 Q. Were you all three meeting at the same time?</p> <p>4 A. Yes.</p> <p>5 Q. A few hours, two, three?</p> <p>6 A. Two or three.</p> <p>7 Q. This was at Mr. Bunning's office?</p> <p>8 A. Right.</p> <p>9 Q. Before yesterday had you ever met Mr. Spadaro</p> <p>10 before?</p> <p>11 A. No, sir.</p> <p>12 Q. Had you ever talked to him before yesterday?</p> <p>13 A. No, sir.</p> <p>14 Q. When was the first time you met Mr. Edwards?</p> <p>15 A. This morning.</p> <p>16 Q. Did you ever talk to Mr. Edwards before this</p> <p>17 morning?</p> <p>18 A. No, I have not.</p> <p>19 Q. Other than meeting Mr. Spadaro yesterday and</p> <p>20 Mr. Edwards this morning have you met any other</p> <p>21 attorneys from the law firm of Murphy, Spadaro &</p> <p>22 Landon?</p> <p>23 A. Not that I'm aware of.</p> <p>24 Q. Are you aware if you ever talked to any</p> <p>25 attorneys from there before?</p>

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<p>1 A. These two gentlemen are the only ones I spoke 2 to other than Mr. Bunning. I'm going to say no. 3 Q. Yesterday during your preparation for your 4 deposition today, other than you and your parents and 5 Mr. Spadaro, did anybody else participate? 6 A. Mr. Bunning came in and peeked in and sat 7 down he didn't pipe in with anything. 8 Q. But he was there? 9 A. He just sat there for part of it. 10 MR. EDWARDS: Just as long as 11 substance -- 12 BY MR. MARINO: 13 Q. -- don't tell me about any conversation. I 14 just want to know who was there and things of that 15 nature. In terms of specific conversation don't tell 16 me about those. 17 MR. EDWARDS: That is privileged. 18 BY MR. MARINO: 19 Q. Did you review any documents yesterday? 20 A. Yes. 21 Q. What documents? 22 MR. EDWARDS: Objection as to being 23 privileged. It is part of prep time. I 24 direct her not to answer that. 25 MR. MARINO: What documents she</p>	<p>1 Q. Do you know what it means to be a class 2 representative? 3 A. My understanding is that being a class 4 representative, that person is the one to stand up for 5 everyone else that is involved. 6 Q. Do you have any understanding beyond that? 7 A. Not really. 8 Q. Do you know what the duties of a class 9 representative are? 10 A. I do not. 11 Q. Do you know what fiduciary duties are? 12 A. I do not. 13 Q. You are seeking to be a class representative 14 in this case? 15 A. Yes, because I was involved in that accident. 16 I was in the car. 17 Q. Your understanding is you are seeking to be a 18 class representative in this case because you were in 19 the car during that accident? 20 A. Right. In the accident in 2003 where the -- 21 Q. -- what we already talked about? 22 A. Right. 23 Q. Have you ever sought to be a class 24 representative in any other case? 25 MR. EDWARDS: Objection to form.</p>
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<p>1 reviewed in preparation for her deposition? 2 MR. EDWARDS: Work product, 3 privilege. 4 MR. MARINO: I don't want her to 5 tell me about any conversations. You are 6 free to direct her. 7 MR. EDWARDS: I don't know what they 8 reviewed. 9 MR. MARINO: I'm asking her what 10 they reviewed, not you. 11 MR. EDWARDS: As long as you mention 12 what the documents are and not what was 13 discussed about them. 14 THE WITNESS: They were forms from 15 my parent's Nationwide file. 16 BY MR. MARINO: 17 Q. Anything else? 18 A. No, sir. 19 Q. Other than the preparation you did yesterday 20 you didn't do any other preparation? 21 A. No, sir. 22 Q. Do you know what a class action is? 23 A. I know that it is a lawsuit where other 24 people are involved, larger numbers of people with the 25 same complaint.</p>	<p>1 MR. MARINO: Mark this as Tammy 2 Eames-1. 3 (Whereupon, Exhibit Tammy Eames-1 4 was so marked for identification by the 5 court reporter, being Plaintiff's Responses 6 to Nationwide's First Set of Class 7 Certification Interrogatories.) 8 BY MR. MARINO: 9 Q. I'm showing you exhibit one to your 10 deposition today. Please look over that document. 11 A. Okay. 12 Q. Are these your -- when I say Nationwide, I'm 13 referring to Nationwide Mutual Insurance Company. When 14 I refer to them during the deposition I'm referring to 15 Nationwide Mutual Insurance Company. 16 A. Okay. 17 Q. Are these your answers to Nationwide's -- 18 A. -- when I read this it confuses me. I don't 19 understand. 20 Q. Do you know if these are your answers to the 21 interrogatories, Nationwide's interrogatories? 22 A. What is an interrogatory? 23 Q. Do you know what an interrogatory is? 24 A. I never heard the word. 25 Q. Have you ever seen exhibit one before today?</p>

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<p>1 A. I believe so.</p> <p>2 Q. Do you know?</p> <p>3 A. I have read so many of these papers. It</p> <p>4 sounds familiar, but the words, I don't understand all</p> <p>5 of the terminology in it. I would say I have read it</p> <p>6 because it sounds familiar.</p> <p>7 Q. Do you know that you read it or you think?</p> <p>8 A. I think that I read it.</p> <p>9 Q. You don't know for sure, do you?</p> <p>10 A. To tell you I know I have seen it I have to</p> <p>11 look at my paperwork at home.</p> <p>12 Q. You have paperwork at home?</p> <p>13 A. Yes.</p> <p>14 Q. What is that paperwork about?</p> <p>15 A. All of this stuff.</p> <p>16 Q. All of what stuff?</p> <p>17 A. All of the information for this suit.</p> <p>18 Q. As you sit here today you don't know whether</p> <p>19 you have seen these answers or not?</p> <p>20 MR. EDWARDS: Objection to form.</p> <p>21 Asked and answered.</p> <p>22 THE WITNESS: Repeat your question.</p> <p>23 BY MR. MARINO:</p> <p>24 Q. As you sit here today you don't know for</p> <p>25 certain?</p>	<p>1 A. I don't know.</p> <p>2 Q. Did you assist anybody in preparing these</p> <p>3 interrogatory responses?</p> <p>4 A. If I knew what an interrogatory was I can</p> <p>5 probably answer these questions. I don't know what you</p> <p>6 are asking me.</p> <p>7 Q. Number three on page three. That question</p> <p>8 asks:</p> <p>9 "Identify all past or present Nationwide</p> <p>10 employees with whom you have personally communicated</p> <p>11 regarding the insurance policy at issue in the</p> <p>12 complaint".</p> <p>13 MR. EDWARDS: Same objection.</p> <p>14 MR. MARINO: In the response there</p> <p>15 are objections.</p> <p>16 BY MR. MARINO:</p> <p>17 Q. It says Ms. Eames states that the policy at</p> <p>18 issue was sold to her parents and they, not she,</p> <p>19 communicated personally with Nationwide's</p> <p>20 representatives regarding that policy.</p> <p>21 A. Right.</p> <p>22 Q. Is that correct?</p> <p>23 A. Right. I was not there.</p> <p>24 Q. You were not there when this policy was sold?</p> <p>25 A. No, sir, I was only 12.</p>
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<p>1 A. I can't say yes, I have seen it for certain.</p> <p>2 Q. You have not signed these interrogatory</p> <p>3 responses, have you?</p> <p>4 A. I don't know.</p> <p>5 MR. EDWARDS: Objection to the form.</p> <p>6 MR. MARINO: What is your objection?</p> <p>7 MR. EDWARDS: I retract it.</p> <p>8 BY MR. MARINO:</p> <p>9 Q. You don't know whether you signed this</p> <p>10 document, exhibit one?</p> <p>11 A. Without giving you an I believe answer, I</p> <p>12 believe I have seen this form, but I can't tell you 100</p> <p>13 percent that I've seen it, because honestly they all</p> <p>14 look the same to me. Everything legal looks the same</p> <p>15 to me.</p> <p>16 Q. My question was, do you know whether you</p> <p>17 signed this?</p> <p>18 A. I can't say that I signed this.</p> <p>19 Q. As I look at exhibit one I don't see your</p> <p>20 signature on it anywhere.</p> <p>21 A. Not on this, no.</p> <p>22 Q. Were you ever asked to sign exhibit one under</p> <p>23 oath?</p> <p>24 A. Not that I recall.</p> <p>25 Q. Who prepared these interrogatory responses?</p>	<p>1 Q. You were not driving a car, were you?</p> <p>2 A. No.</p> <p>3 Q. You would not have occasion to purchase</p> <p>4 insurance when this was purchased in 1994, would you?</p> <p>5 A. I was not involved in the insurance purchase</p> <p>6 at all.</p> <p>7 Q. You never communicated with anybody from</p> <p>8 Nationwide?</p> <p>9 A. Regarding that policy, no.</p> <p>10 Q. Regarding any policy?</p> <p>11 A. I have my insurance through Nationwide.</p> <p>12 Q. You have your own insurance now separate and</p> <p>13 apart from your parent's insurance?</p> <p>14 A. My dad is on my insurance.</p> <p>15 Q. Did you get that through the Muncie Agency?</p> <p>16 A. Yes.</p> <p>17 Q. You never communicated anything regarding</p> <p>18 this policy with Culver Insurance Agency, Inc.</p> <p>19 A. Not with their policy. I had nothing to do</p> <p>20 with it. My parents.</p> <p>21 Q. That's the policy at issue in this case?</p> <p>22 A. Right.</p> <p>23 Q. You have not communicated with that agency to</p> <p>24 this date regarding this policy?</p> <p>25 A. Right.</p>

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<p>1 Q. You never communicated with anybody from 2 Nationwide Insurance Company regarding the policy at 3 issue in this case, have you? 4 A. No. 5 MR. MARINO: Mark this as Tammy 6 Eames-2. 7 (Whereupon, Exhibit Tammy Eames-2 8 was so marked for identification by the 9 court reporter, being Amended Complaint.) 10 BY MR. MARINO: 11 Q. You testified you never communicated 12 regarding the policy at issue in this case with Culver, 13 Muncie, or Nationwide. 14 Other than those three entities, have you 15 communicated with any other agency or people regarding 16 the insurance policy at issue in this case? 17 MR. EDWARDS: Objection to form. 18 Compound question. 19 BY MR. MARINO: 20 Q. Did you talk to anybody else about the 21 insurance policy at issue in this case? 22 A. Yesterday. 23 Q. Was yesterday the first time you communicated 24 with anybody concerning the insurance policy at issue 25 in this case?</p>	<p>1 A. That I can specifically recall, yes. 2 Q. What portions would that be? 3 A. The exhibits. 4 Q. That would be exhibit A? 5 A. And B, C. 6 Q. You recall seeing exhibits A, B, and C? 7 A. And D. 8 Q. Basically before today's date you have seen 9 copies of exhibits A, B, C and D to this amended class 10 action complaint? 11 A. Correct. 12 Q. When did you see those? 13 A. Yesterday. 14 Q. Is this the first time you ever saw any of 15 those exhibits, exhibits A B C and D to exhibit two to 16 this deposition? 17 A. Exhibit D I believe I saw a copy when it came 18 in the mail. 19 Q. Came in the mail to who? 20 A. My father. 21 Q. D as you understand it was mailed to your 22 father? 23 A. It wasn't this exact form. It was one 24 similar. 25 Q. You may have seen exhibit D?</p>
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<p>1 A. Yes. 2 Q. I'm showing you exhibit two. Have you seen 3 this document before? 4 A. I recall seeing specific parts of this 5 document. 6 Q. I'm asking you have you ever seen this entire 7 document before? 8 A. Not that I recall. 9 Q. Do you know what an amended class action 10 complaint is? 11 A. Not exactly. 12 Q. Do you know what a complaint is? 13 A. Yes. 14 Q. What is a complaint? 15 A. A problem. When you are expressing an issue. 16 Q. Do you know in the context of a lawsuit what 17 the term complaint means? 18 MR. EDWARDS: Objection to form. 19 THE WITNESS: I would assume it 20 would be the same thing. 21 BY MR. MARINO: 22 Q. Do you know what a pleading is? 23 A. No. 24 Q. I think you testified that you had seen 25 portions of this, exhibit two before; is that correct?</p>	<p>1 A. When his benefits exhausted. 2 Q. You saw that prior to yesterday? 3 A. Right. 4 Q. Do you know when? 5 A. Around the time he was notified it was 6 exhausted. 7 Q. You never saw exhibit A to this amended 8 complaint before yesterday, did you? 9 A. No. 10 Q. You never saw exhibit B to this before 11 yesterday, did you? 12 A. No. 13 Q. You never saw exhibit C to this amended class 14 action before yesterday, did you? 15 A. No. 16 MR. MARINO: Let's take a break. 17 (Whereupon, a short recess was 18 taken.) 19 BY MR. MARINO: 20 Q. You have what had been marked as exhibit two 21 I will refer you to page six of that document. I'm 22 looking at paragraph 13. Please read that. 23 A. (Witness complies). 24 Q. The second sentence, "Specifically, 25 Nationwide has represented to one or more of the</p>

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<p>1 proposed class representatives that the subject policy 2 provides full limits of liability for PIP coverage; and 3 it has therefore taken the position that such limits 4 have been exhausted by the payment of the minimum 5 statutory amount". 6 From your prior testimony that indicated 7 you never communicated with anyone from Nationwide or 8 anyone else regarding the policy at issue in this case, 9 you were not one or more of the class representatives 10 that such alleged representation was made to, are you? 11 A. Being involved in that accident with full 12 coverage I thought that we would be covered. And my 13 PIP was also exhausted from my understanding. 14 Q. That's what you thought. You testified 15 earlier nobody from Nationwide ever made that 16 representation, did they? 17 A. Not directly to me, no. 18 Q. Nobody from Muncie ever made that 19 representation to you? 20 A. Not on that policy, no. 21 Q. Nobody from Culver ever made that? 22 A. Regarding that policy, no. 23 Q. Nobody else at all ever made that 24 representation to you regarding that policy; correct? 25 A. My parents told me they had full coverage on</p>	<p>1 Q. When did he suggest that? 2 A. A while back. I don't know exactly. Maybe a 3 year ago. 4 Q. You didn't get that testing? 5 A. It is very expensive. 6 Q. To this day you still have not gotten that 7 testing? 8 A. No. 9 Q. You said this doctor suggested this maybe a 10 year ago. 11 Subsequent to that time has any other 12 doctor suggested that testing to you? 13 A. They are -- they were trying to figure out 14 why I still have numbness. That was a possible way to 15 treat that. 16 Dr. Dushuttle said that is one way to 17 tell. I believe he is the only one that suggested it. 18 Q. Is there any other medical care that you have 19 not gotten? 20 A. No. The only thing we're waiting to find out 21 is what is wrong. And I can't afford to find out what 22 is wrong at this moment. 23 Q. I understand that you testified that you want 24 to find out what is wrong. Earlier you testified to a 25 specific test that a doctor proposed doing that has not</p>
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<p>1 their vehicle. Other than that, no. 2 Q. You communicated with your parents about it? 3 A. Yes. 4 Q. Nobody else? 5 A. Right. 6 Q. Page 18 of exhibit two. Paragraph 24. 7 Have you been deprived of necessary 8 medical care? 9 A. My PIP exhausted and I did not have the funds 10 to do some of the testing that I needed. 11 Q. What testing did you want to do? 12 A. One of the physicians suggested an EMG. 13 Q. Your understanding is that your PIP 14 exhausted? 15 A. Correct. 16 Q. A physician suggested an EMG; correct? 17 MR. EDWARDS: I object. Irrelevant 18 to classification issues. 19 MR. MARINO: It is relevant. 20 BY MR. MARINO: 21 Q. What physician suggested that? 22 MR. EDWARDS: Same objection to this 23 whole line. 24 THE WITNESS: Dr. Dushuttle. 25 BY MR. MARINO:</p>	<p>1 been done. 2 Is there any other specific medical 3 treatments other than in a broad sense finding out what 4 had been wrong that had been suggested? 5 A. That test would be the next test to find out 6 if there is nerve damage. Once that test is done that 7 will decide what they can do. 8 Q. Did somebody tell you how expensive that test 9 is? 10 A. Anywhere from \$600 to \$1,000, or better. 11 MR. EDWARDS: Objection. 12 MR. MARINO: You can have a 13 continuing objection. 14 BY MR. MARINO: 15 Q. How do you know? 16 A. My therapist performs them. 17 Q. You know that from working? 18 A. Yes. 19 Q. You testified earlier you thought testing was 20 suggested about a year ago? 21 A. Yes. 22 Q. Would that be March 2005? 23 A. I don't have specific dates. About a year 24 ago is just an estimate. 25 Q. You don't know specifically?</p>

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<p>1 A. I don't know specifically when the last time 2 was that he told me. 3 Q. Are you still being treated by this doctor? 4 A. No. 5 Q. How did you go about hiring the attorneys to 6 represent you in this case? 7 MR. EDWARDS: Objection, relevance. 8 BY MR. MARINO: 9 Q. Don't tell me about discussions. How did you 10 hire them? 11 A. I didn't specifically do this by myself. My 12 parents were involved and they made the connections. 13 don't know how it was done. 14 Q. Have you had discussions about this case with 15 anyone other than when you testified to today? 16 A. No. 17 MR. MARINO: No further questions. 18 EXAMINATION 19 BY MR. EDWARDS: 20 Q. You were asked do you understand what a 21 complaint is. I believe your testimony is you are 22 complaining about something? 23 A. Right. 24 Q. Do you understand in this complaint marked as 25 Eames-2 this is basically you and your parents</p>	<p>1 CERTIFICATE 2 3 4 I, AUDREE E. BURG, a Court Reporter 5 in and for the Commonwealth of Pennsylvania, 6 hereby certify that the foregoing is a true 7 and accurate transcript of the deposition of 8 said witness who was first duly sworn by me 9 on the date and place hereinbefore set 10 forth. 11 12 I FURTHER CERTIFY that I am neither 13 attorney nor counsel for, nor related to or 14 employed by, any of the parties to the 15 action in which this deposition was taken, 16 and further that I am not a relative or 17 employee of any attorney or counsel employed 18 in this action, nor am I financially 19 interested in this case. 20 21 22 23 AUDREE E. BURG 24 Court Reporter 25</p>
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<p>1 complaining about something, something that Nationwide 2 has done? 3 A. Right. 4 MR. MARINO: Objection to the form. 5 BY MR. EDWARDS: 6 Q. Do you understand what you are complaining 7 about in this complaint? 8 A. The way the document was written. 9 Q. What about it? 10 A. That it was specified as being full coverage 11 when there was a limit on the coverage. 12 MR. EDWARDS: Nothing further. 13 RE-EXAMINATION 14 BY MR. MARINO: 15 Q. You said you are complaining about the way 16 the document was written. What document? 17 A. The insurance policy. 18 MR. MARINO: Nothing further. 19 (Whereupon, the deposition was 20 concluded at 11:15 a.m.) 21 22 23 24 25</p>	

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CONFIDENTIAL - *Eames v. Nationwide*

ADA Session 1

7/24/88

012

05/01/88

AUTO RATE QUOTE #2 - COVERAGES

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012

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25/50

50/100

100/200

100/300

250/500

300/300

300/500

500/500

* 500/1000

* 1ML/1ML

CNF

* - REQUIRES PRIOR UNDERWRITING APPROVAL

POLICY COVERAGE — MUST BE EQUAL ON ALL VEHICLES

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ADA Session 1

7/24/88

012

05/01/88

AUTO RATE QUOTE #2 - COVERAGES

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2000

5000

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CNF

<PREV PG>

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**IN THE UNITED STATES DISTRICT COURT
IN AND FOR THE DISTRICT OF DELAWARE**

THOMAS A. EAMES, ROBERTA L. EAMES)	
and TAMMY EAMES, on behalf of)	
themselves and all others)	
similarly situated,)	
)	
Plaintiffs,)	C.A. No. 04-CV-1324KAJ
)	
v.)	
)	
NATIONWIDE MUTUAL INSURANCE)	
COMPANY,)	
)	
Defendant.)	

NOTICE OF SERVICE

I hereby certify that on this date, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF which will send notification of such filing(s) to the following:

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May 8, 2006